

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

CRIMINAL ACTION NO: 3:14-cr-108-DCB-FKB

CHAD TEATER

DEFENDANT

ORDER DENYING MOTION TO ALTER JUDGMENT

This matter is before the Court on Defendant's, Chad Teater, Motion to Alter Judgment [**docket entry no. 32**]. Having reviewed the motion and the Government's objection thereto, applicable statutory and case law, and being otherwise fully informed in the premises, the Court finds and orders as follows:

The Court previously ordered Teater to repay \$190,549.19, jointly and severally with his codefendant, as restitution. Order Regarding Restitution 1, ECF No. 31. At sentencing, Teater agreed that he was liable for restitution in an amount to be determined by the Government, within ninety days of his sentencing. See 18 U.S.C. 3664(d)(5) (2002). Teater now objects to that order on multiple grounds: (1) the "Order fails to address Keely McNulty's obligation"; (2) "the amount of the restitution Ordered is incorrect"; and (3) Teater is unable to meet the monthly obligation because of his employment status and incarceration. Mot. Alter J. 1-2, ECF No. 32. Teater argues the amount is incorrect because (1)

it uses "[a]n inflated estimate for the cost of performing repairs"; (2) it includes "[t]he cost of a mobile home trailer, which should not be included"; (3) it "fail[s] to account for the occupant's failure to maintain the residence"; and (4) it relies on "[a]n incorrect appraisal." Mot. Alter J. 1-2. Teater did not attach any exhibits to his motion.

The Government objected to his motion arguing that Teater's motion lacks sufficient factual support. The Court entered an order agreeing with the Government's assessment and requiring Teater to "file supplemental factual support for his motion." Order 1, ECF No. 34. The Court warned Teater that "[i]f not supplement [were] filed, the Court [would] enter an order ruling on the motion." Order 1, ECF No. 34. Teater moved for an extension of time to file his supplement, which the Court granted over the Government's objections. See Order, ECF No. 37. Despite this extension of time, Teater has failed to submit any supplementation to his motion. Therefore, the Court will deny his motion finding that it lacks sufficient factual support. Accordingly,

IT IS HEREBY ORDERED THAT the Motion to Alter Judgment is DENIED.

SO ORDERED this the 30th day of July 2015.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE